

REMARKS

The Office Action mailed January 13, 2006 has been carefully reviewed and the following remarks are made in consequence thereof.

Claims 1-20 are now pending in this application. Claims 1, 2, and 4-20 stand rejected. Claim 3 is objected to.

Initially, Applicants note that Claim 14 was previously withdrawn in response to the restriction requirement mailed May 18, 2005. The presently pending Office Action includes a rejection of Claim 14. Applicants therefore conclude that the restriction has been withdrawn and Claim 14 is now subject to examination.

The rejection of Claims 1, 2, 4, 6, 7, and 9 under 35 U.S.C. § 102(b) as being clearly anticipated by either Clarke (U.S. Patent No. 1,772,207) or Roberts (U.S. Patent No. 4,329,859) is respectfully traversed.

Clarke describes a washing machine that includes a clothes receiving drum (5) having perforated walls. The interior of the drum is provided with triangularly shaped baffle plates (49) with inner edges inclined downwardly and away from the axis of the drum. Notably, Clarke does not describe, nor do the drawings show perforations arranged in single vertically aligned columns between adjacent baffles.

Roberts describes a washing machine (10) having a cabinet (12), a base portion (14) and a top (16). A stationary tub (32) is within the cabinet. A basket (34) for receiving articles to be washed is located within the tub. The basket is of two piece construction including a bottom (36) and a body (38). The body includes a plurality of apertures (42) and a plurality of spaced vertical ribs (44) that extend inwardly from the basket side wall. The bottom includes a plurality of spaced vertical ribs (46) extending inwardly from the bottom of the basket. Notably, Roberts does not describe or suggest ribs that extend radially inward from the basket side wall. Moreover from Figure 2 in the drawings, it is apparent that the ribs include an edge or face that faces along the basket inner wall surface and a surface that tapers from the edge back to the basket wall.

Applicants note that the present rejection is without detailed explanation.

Claim 1 recites a basket for a washing machine, said basket including “a body comprising an outer wall and at least one rib extending radially inward from said wall, said rib comprising at least a first portion having a first cross section and a second portion having a second cross section, said second cross section different from said first cross section, said wall including a plurality of apertures therethrough, said apertures arranged in single vertically aligned columns between adjacent ribs”.

Neither Clarke nor Roberts describe or suggest a basket for a washing machine as recited in Claim 1. More specifically, neither Clarke nor Roberts describe or suggest a basket having radially extending ribs and an outer wall including a plurality of apertures therethrough that are arranged in single vertically aligned columns between adjacent ribs. Rather, Clarke describes a basket wherein apertures are not arranged in single vertically aligned columns between adjacent baffles. Roberts describes ribs that do not extend radially from a basket side wall. Accordingly, Claim 1 is submitted to be patentable over either Clarke or Roberts.

Claims 2 and 4 depend from independent Claim 1. When the recitations of Claims 2 and 4 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2 and 4 are likewise patentable over either Clarke or Roberts.

Claim 6 recites a washing machine basket including “an outer wall; a plurality of ribs projecting radially inwardly from said outer wall, each said rib comprising a first end and a second end, said first end projecting a first radial distance from said outer wall, said second end projecting a second radial distance from said outer wall, said first radial distance less than said second radial distance; and a plurality of apertures formed in said outer wall, said apertures arranged in single vertically aligned columns between adjacent ribs”.

Neither Clarke nor Roberts describe or suggest a washing machine basket as recited in Claim 6. More specifically, neither Clarke nor Roberts describe or suggest a basket having radially extending ribs and an outer wall including a plurality of apertures therethrough that are arranged in single vertically aligned columns between adjacent ribs. Rather, Clarke describes a basket wherein apertures are not arranged in single vertically aligned columns between adjacent

baffles. Roberts describes ribs that do not extend radially from a basket side wall. Accordingly, Claim 6 is submitted to be patentable over either Clarke or Roberts.

Claims 7 and 9 depend from independent Claim 6. When the recitations of Claims 7 and 9 are considered in combination with the recitations of Claim 6, Applicants submit that dependent Claims 7 and 9 are likewise patentable over either Clarke or Roberts.

For at least the reasons set forth above, Applicants respectfully request that the section 102 rejections of Claims 1, 2, 4, 6, 7, and 9 be withdrawn.

The rejection of Claims 5 and 8 under 35 U.S.C. § 103(a) as being unpatentable over either Clarke or Roberts is respectfully traversed.

Clarke and Roberts are described above.

Claim 5 depends from Claim 1 which is submitted to be patentable over either Clark or Roberts as indicated above. When the recitations of Claim 5 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claim 5 is likewise patentable over either Clarke or Roberts.

Claim 8 depends from Claim 6 which is submitted to be patentable over either Clark or Roberts as indicated above. When the recitations of Claim 8 are considered in combination with the recitations of Claim 6, Applicants submit that dependent Claim 8 is likewise patentable over either Clarke or Roberts.

For at least the reasons set forth above, Applicants respectfully request that the section 103 rejection of Claims 3 and 13 be withdrawn.

The rejection of Claims 10, 12, 15-17, 19 and 20 under 35 U.S.C. § 102(b) as being clearly anticipated by Gorn (U.S. Patent No. 1,657,963) is respectfully traversed.

Gorn describes a combined washer and water extraction apparatus. The apparatus includes a tank (1) having a cylindrical body portion (2). A receptacle or basket is arranged within the tank and includes a perforated container (83) having a closed perforated end (84) and an open end. The container has non-perforated portions (85), (86), (87), and (88) that extend

from a non-perforated portion (89). The non-perforated portions (85) to (88) from the open end of the container to the closed end are inset to form agitators (90), each of which is V-shaped in cross section. The container includes tapered portions (91) and (92). A collar (93) surrounds the container adjacent the tapered portion (91). A series of reinforcing bars (105) are secured to the outer face of the container. The container is provided with a shifting device for tilting the basket from a vertical to a horizontal position. Notably, Gorn describes or suggests no dimensions associated with an inward projection of the agitators (90). It is also apparent from the drawings, particularly Figure 7, that the perforations cannot be arranged in single vertically arranged columns between adjacent agitators.

Applicants note that the present rejection is without detailed explanation.

Claim 10 recites a washing machine basket including “an outer wall and a plurality of vertically extending ribs projecting radially inwardly from said outer wall at a distance of about 0.395 to about 1.5 inches, said outer wall including a plurality of apertures therethrough, said apertures arranged in single vertically aligned columns between adjacent ribs”.

Gorn does not describe or suggest a washing machine basket as recited in Claim 10. More specifically, Gorn does not describe or suggest a basket having an outer wall and a plurality of vertically extending ribs projecting radially inwardly from the outer wall at a distance of about 0.395 to about 1.5 inches. Further, Gorn does not describe or suggest an outer wall including a plurality of apertures therethrough, wherein the apertures are arranged in single vertically aligned columns between adjacent ribs. Rather, Gorn describes perforations that are not arranged in single vertically arranged columns between adjacent agitators. Further, Gorn discloses no distance data associated with the agitators. Accordingly, Claim 10 is submitted to be patentable over Gorn.

Claims 12 and 15 depend from independent Claim 10. When the recitations of Claims 12 and 15 are considered in combination with the recitations of Claim 10, Applicants submit that dependent Claims 12 and 15 are likewise patentable over Gorn.

Claim 16 recites a washing machine basket including “a substantially cylindrical outer wall and a plurality of inwardly projecting ribs depending therefrom, each said rib comprising: a

first portion having a first radially extending height from said outer wall and a first tangential width; and a second portion having a second radially extending height from said outer wall and a second tangential width, said first height less than said second height, said first width greater than said second width, wherein, said outer wall includes a plurality of apertures therethrough, said apertures arranged in single vertically aligned columns between adjacent ribs”.

Gorn does not describe or suggest a washing machine basket as recited in Claim 16. More specifically, Gorn does not describe or suggest a basket having an outer wall including a plurality of apertures therethrough, wherein the apertures are arranged in single vertically aligned columns between adjacent ribs. Rather, Gorn describes perforations that are not arranged in single vertically arranged columns between adjacent agitators. Accordingly, Claim 16 is submitted to be patentable over Gorn.

Claim 17 depends from independent Claim 16. When the recitations of Claim 17 are considered in combination with the recitations of Claim 16, Applicants submit that dependent Claim 17 is likewise patentable over Gorn.

Claim 19 recites a washing machine including “a cabinet; and a basket rotatably mounted in said cabinet, said basket comprising an outer wall and a plurality of radially inwardly projecting ribs extending from said outer wall, said ribs having a varying width between ends thereof, said basket further including a plurality of apertures therethrough, said apertures arranged in single vertically aligned columns between adjacent ribs”.

Gorn does not describe or suggest a washing machine as recited in Claim 19. More specifically, Gorn does not describe or suggest a washing machine including a basket including a plurality of apertures therethrough, wherein the apertures are arranged in single vertically aligned columns between adjacent ribs. Rather, Gorn describes a basket having perforations that are not arranged in single vertically arranged columns between adjacent agitators. Accordingly, Claim 19 is submitted to be patentable over Gorn.

Claim 20 depends from independent Claim 19. When the recitations of Claim 20 are considered in combination with the recitations of Claim 19, Applicants submit that dependent Claim 20 is likewise patentable over Gorn.

For at least the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 10, 12, 15-17, 19 and 20 be withdrawn.

The rejection of Claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Gorn in view of Pecker (U.S. Patent No. 2,056,888) is respectfully traversed.

Gorn is described above. Pecker describes a centrifugal separating machine for dewatering sludge. The machine includes a lower section (1), upper and lower intermediate sections (2) and (3) respectively, and a top section (4). A rotary centrifugal basket (5) is located between the intermediate sections. The basket includes a seepage plate (49) with a screen (57) that includes perforations (59).

Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Neither Gorn nor Pecker, considered alone or in combination, describe or suggest the claimed combination.

To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re *Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). In the present case, neither Gorn nor Pecker, considered alone or in combination describe or suggest a basket for a clothes washer that includes apertures vertically aligned in single columns between adjacent vertically extending ribs.

Pecker is cited for its teaching of flared perforations, however, the Pecker apparatus in no way relates to contemporary washers. Thus, no motivation can be shown in the references themselves for combining the references. For these reasons alone, Applicants respectfully request that the Section 103 rejection be withdrawn.

Nevertheless, Claim 11 depends from Claim 10 which recites a washing machine basket including "an outer wall and a plurality of vertically extending ribs projecting radially inwardly from said outer wall at a distance of about 0.395 to about 1.5 inches, said outer wall including a

plurality of apertures therethrough, said apertures arranged in single vertically aligned columns between adjacent ribs”.

Neither Gorn nor Pecker, considered alone or in combination, describe or suggest a washing machine basket as recited in Claim 10. More specifically, neither Gorn nor Pecker, considered alone or in combination, describe or suggest a basket having an outer wall and a plurality of vertically extending ribs projecting radially inwardly from the outer wall at a distance of about 0.395 to about 1.5 inches. Further, neither Gorn nor Pecker, considered alone or in combination describe or suggest an outer wall including a plurality of apertures therethrough, wherein the apertures are arranged in single vertically aligned columns between adjacent ribs. Rather, Gorn describes perforations that are not arranged in single vertically arranged columns between adjacent agitators. Further, Gorn discloses no distance data associated with the agitators. Pecker describes flared perforations. Accordingly, Claim 10 is submitted to be patentable over Gorn in view of Pecker.

Claim 11 depends from independent Claim 10. When the recitations of Claim 11 are considered in combination with the recitations of Claim 10, Applicants submit that dependent Claim 11 is likewise patentable over Gorn in view of Pecker.

For at least the reasons set forth above, Applicants respectfully request that the section 103 rejection of Claim 11 be withdrawn.

The rejection of Claims 13, 14, and 19 under 35 U.S.C. § 103(a) as being unpatentable over Gorn in view of Josselyn (U.S. Patent No. 913,506) is respectfully traversed.

Applicants note that the detailed explanation of the rejection makes reference to Claims 3 and 13. Applicants assume that continued reference to Claims 13, 14, and 19 was intended and the rejection is responded to accordingly.

Gorn is described above. Josselyn describes a washing machine including a receptacle (1) and a removable closure (2) which together constitute an inclosing boiler. A shaft (3), to which an operating crank is attached, extends through the boiler to rotate a cylinder (6) within the boiler. A retaining band or strip (13) is provided for stiffening or strengthening the cylinder.

Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Neither Gorn nor Josselyn, considered alone or in combination, describe or suggest the claimed combination.

To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re *Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). In the present case, neither Gorn nor Josselyn, considered alone or in combination describe or suggest a basket for a clothes washer that includes apertures vertically aligned in single columns between adjacent vertically extending ribs.

Josselyn is cited for its teaching of a support band in a washing machine. The Josselyn apparatus includes a band that holds a number of rods or wires in a cylindrical arrangement. The apparatus in no way relates to contemporary washers. Thus, no motivation can be shown in the references themselves for combining the references. For these reasons alone, Applicants respectfully request that the Section 103 rejection be withdrawn.

Nevertheless, Claims 13 and 14 depend from Claim 10 which recites a washing machine basket including "an outer wall and a plurality of vertically extending ribs projecting radially inwardly from said outer wall at a distance of about 0.395 to about 1.5 inches, said outer wall including a plurality of apertures therethrough, said apertures arranged in single vertically aligned columns between adjacent ribs".

Neither Gorn nor Josselyn, considered alone or in combination, describe or suggest a washing machine basket as recited in Claim 10. More specifically, neither Gorn nor Josselyn, considered alone or in combination, describe or suggest a basket having an outer wall and a plurality of vertically extending ribs projecting radially inwardly from the outer wall at a distance of about 0.395 to about 1.5 inches. Further, neither Gorn nor Josselyn, considered alone or in combination describe or suggest an outer wall including a plurality of apertures therethrough, wherein the apertures are arranged in single vertically aligned columns between adjacent ribs. Rather, Gorn describes perforations that are not arranged in single vertically arranged columns

between adjacent agitators. Further, Gorn discloses no distance data associated with the agitators. Josselyn describes a strengthening band holding a plurality of rods in the form of a cylinder. Accordingly, Claim 10 is submitted to be patentable over Gorn in view of Josselyn.

Claims 13 and 14 depend from independent Claim 10. When the recitations of Claims 13 and 14 are considered in combination with the recitations of Claim 10, Applicants submit that dependent Claims 13 and 14 are likewise patentable over Gorn in view of Josselyn.

Claim 19 recites a washing machine including "a cabinet; and a basket rotatably mounted in said cabinet, said basket comprising an outer wall and a plurality of radially inwardly projecting ribs extending from said outer wall, said ribs having a varying width between ends thereof, said basket further including a plurality of apertures therethrough, said apertures arranged in single vertically aligned columns between adjacent ribs".

Neither Gorn nor Josselyn, considered alone or in combination, describe or suggest a washing machine as recited in Claim 19. More specifically, neither Gorn nor Josselyn, considered alone or in combination, describe or suggest a washing machine including a basket including a plurality of apertures therethrough, wherein the apertures are arranged in single vertically aligned columns between adjacent ribs. Rather, Gorn describes a basket having perforations that are not arranged in single vertically arranged columns between adjacent agitators. Josselyn describes a strengthening band holding a plurality of rods in the form of a cylinder. Accordingly, Claim 19 is submitted to be patentable over Gorn in view of Josselyn.

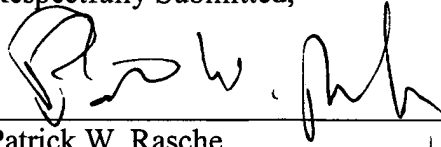
For at least the reasons set forth above, Applicants respectfully request that the section 103 rejection of Claims 13, 14, and 19 be withdrawn.

The objection to Claim 3 is respectfully traversed.

Applicants thank the Examiner for the indication of allowable subject matter in dependent Claim 3. Applicants submit, however, that Claim 3 depends from Claim 1 which is submitted to be patentable over the cited art for the reasons set forth above, and that Claim 3 is likewise patentable. Accordingly, Applicants respectfully request that the objection to Claim 3 be withdrawn.

In view of the foregoing remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'P. W. Rasche', written over a horizontal line.

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